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Extension of vocational
rehabilitation

Washington

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Extension of Vocational Rehabilitation

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HEARING

BEFORE THE

COMMITTEE ON EDUCATION

HOUSE OF REPRESENTATIVES

SIXTY-SIXTH CONGRESS
THIRD SESSION

ON

H. R. 15853

A BILL TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR VOCATIONAL REHABILITATION AND RETURN TO CIVIL EMPLOYMENT OF DISABLED PERSONS DISCHARGED FROM THE MILITARY OR NAVAL FORCES OF THE UNITED STATES, AND FOR OTHER PURPOSES," APPROVED JUNE 27, 1918, AS AMENDED BY THE ACT OF JULY 11, 1919

FEBRUARY 8, 1921



WASHINGTON
GOVERNMENT PRINTING OFFICE
1921

COMMITTEE ON EDUCATION.

HOUSE OF REPRESENTATIVES.

SIXTY-SIXTH CONGRESS.

SIMEON D. FESS, Ohio, *Chairman*.

HORACE M. TOWNER, Iowa.
EDMUND PLATT, New York.
FREDERICK W. DALLINGER, Massachusetts.
ALBERT H. VESTAL, Indiana.
SHERMAN E. BURROUGHS, New Hampshire.
EDWARD J. KING, Illinois.
DANIEL A. REED, New York.
JOHN M. ROBSION, Kentucky.

WILLIAM J. SEARS, Florida.
WILLIAM B. BANKHEAD, Alabama.
CHARLES H. BRAND, Georgia.
THOMAS L. BLANTON, Texas.
JEROME F. DONOVAN, New York.
WILLIAM L. NELSON, Missouri.

EXTENSION OF VOCATIONAL REHABILITATION.

COMMITTEE ON EDUCATION,
HOUSE OF REPRESENTATIVES,
Tuesday, February 8, 1921.

The committee met at 10.30 o'clock a. m., Hon. Simeon D. Fess (chairman) presiding.

The CHAIRMAN. If the committee will consent, we will proceed to let Mr. Munroe suggest what these proposed amendments are. (The bill is here printed in the record in full, as follows:)

A BILL. To amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919, be hereby amended to read as follows:

"SEC. 2. That every person enlisted, enrolled, drafted, inducted, or appointed in the military or naval forces of the United States (including members of training camps authorized by law), or in the military or naval forces of any ally of the United States in the late war, if a citizen of the United States immediately prior thereto and having resumed such citizenship if lost by reason of any oath or obligation taken for the purposes of entering such allied service, who, since April 7, 1917, has resigned or has been discharged or furloughed therefrom under honorable conditions, having a disability in the judgment of the board constituting a vocational handicap or of a degree of 10 per centum or more, incurred, increased, or aggravated while a member of such forces, or later developing such a disability traceable, in the opinion of the board, to service with such forces, and the widow or child of any such person whose husband or father has died since April 7, 1917, as a result of an injury or disability incurred, increased, or aggravated while a member of such forces, or traceable, in the opinion of the board, to service therewith, shall be furnished by the said board, where feasible, such course of vocational rehabilitation or vocational and general education as the board shall prescribe and provide: *Provided, however*, That no widow shall be entitled to the benefits of this section in the event of her failure to commence a course as herein provided prior to January 1, 1925, or in the event of her remarriage: *And provided further*, That no course of vocational or general education shall be furnished hereunder to any child under fourteen or over eighteen years of age.

"The board shall have the power, and it shall be its duty to furnish the persons included in this section suitable courses of vocational rehabilitation or vocational and general education, to be prescribed and provided by it, together with such medical service and treatment during the period of training as in the judgment of the board shall be necessary; and every person electing to follow a course shall, while following the same, be paid monthly by the said board from the appropriations made by the Congress for carrying out the provisions of the vocational rehabilitation act such sum as in the judgment of the said board is necessary for his maintenance and support and for the maintenance and support of persons

dependent upon him, if any: *Provided, however,* That in no event shall the sum so paid an adult, without dependents, while pursuing a course, be more than \$100 per month, or an adult, with dependents, \$120 per month plus the several sums prescribed as family allowances under section 204 of article 2 of the war-risk insurance act, nor shall the sum so paid on account of any child pursuing a course be more than \$50 per month; *and provided further,* That payments made for the support and maintenance of any child pursuing a course as herein provided shall be made to his legally appointed guardian or curator, or in the event no person shall have been so appointed the board may, in its discretion, make such payments to the parent or other person having the care or custody of such child during his period of training hereunder. The term 'child' as used herein shall include a legitimate child, a child legally adopted prior to November 11, 1918, a stepchild, or an illegitimate child, if the deceased father had been judicially ordered or decreed to contribute to such child's support at any time.

"No compensation under article 3 of the act entitled 'An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved October 6, 1917, or any amendment thereof, shall be paid for the period during which any such person is being furnished by said board a course and support as herein authorized: *Provided, however,* That in the event of any person pursuing a course is entitled under said article 3 or any amendment thereof to compensation in an amount in excess of the payments made by the said board for his support and the support of his dependents, if any, the Bureau of War Risk Insurance shall pay monthly to such person such additional amount as may be necessary to equal the total compensation due under said article 3 of said act or amendment thereof: *Provided further,* That any person authorized under the provisions of this act to take vocational training must make application therefor within eighteen months from the time this present act in the nature of an amendment to section 2 becomes effective."

**STATEMENT OF MR. JAMES P. MUNROE, VICE CHAIRMAN
FEDERAL BOARD FOR VOCATIONAL EDUCATION.**

Mr. MUNROE. Mr. Chairman and gentlemen, this bill, which is put in the form of an amendment to the existing act for the rehabilitation of disabled soldiers, has three or four main points which I will point out to you.

In the first place, as you know from the hearings held last spring, we have been much concerned from the beginning with the fact that under the existing act we were not able to do anything in the way of rehabilitation for those American citizens who volunteered in the armies of the Allies before the United States went into the war. There were quite a number of such cases.

The CHAIRMAN. How many were there?

Mr. MUNROE. Oh, a good many hundred. I could not give you the exact figures. Many of them did very gallant service and were very seriously disabled. We have been able to take care of, I think, about 75 of those men through the Elks' fund, which is a special fund that the Elks gave us, but they are trying to close up their war work and have therefore given us notice that on the 1st of March their funds will be withdrawn. So some other disposition will have to be made in the case of those men. In addition to those there are, in round figures, I should say, at least 150 other men that ought to have the same consideration that men who enlisted in our own Army should have.

The CHAIRMAN. Those boys had to renounce their citizenship, did they not, in order to get into the allied service?

Mr. MUNROE. As I understand it, they had to temporarily, but that they have now been, most of them, taken back into full American citizenship.

Mr. REED. How do they do that? What process do they go through? Do they just go before the court and take an oath of allegiance?

Mr. MUNROE. Yes.

The CHAIRMAN. Do you propose to apply this to any one who would not now be a citizen of the United States?

Mr. MUNROE. No, sir; only to citizens of the United States.

The CHAIRMAN. That is a point that was brought out.

Mr. MUNROE. Of course, if a soldier had not yet renewed his allegiance to the United States we would make that a condition of putting him into training.

Mr. BANKHEAD. That they should be citizens and residents of the United States?

Mr. MUNROE. Yes.

Mr. BANKHEAD. For instance, a man who was in the Canadian Army, was a citizen of the United States who went into the Canadian Army, and after the war went back to Canada and is still living up there, you would not contemplate that he could come down into the States now and take the training?

Mr. MUNROE. In some cases those men are being trained under the Canadian law.

Mr. BANKHEAD. But this is not contemplated to give any rights to any except those who have renewed their citizenship and actual residence in the territory of the United States?

Mr. ROBSON. Three things, if I understand it, must unite. First, he must have been a citizen of the United States.

Mr. MUNROE. Yes, sir.

Mr. ROBSON. Who temporarily surrendered their citizenship and fought in the war and was honorably discharged from the armies of the Allies.

Third, that he has resumed his citizenship and is a resident of the United States.

Mr. MUNROE. Yes, sir; those conditions will be insisted on in every case.

If there are no further questions on that particular point, the next is the extension of the rehabilitation idea to the widows and to the children when they shall have reached the age of 14 years, for opportunity for rehabilitation on the ground that the heirs of a man who gave his life in the service are entitled to at least as much consideration as a man who suffered perhaps comparatively minor injury in the service.

Mr. BANKHEAD. Is that covered in this bill?

Mr. MUNROE. Yes, sir.

Mr. BANKHEAD. What language is that?

Mr. MUNROE. Line 13, beginning with "and the widow or child of any such person whose husband or father has died since April 7, 1917, as a result of an injury or disability incurred, increased, or aggravated while a member of such forces or traceable, in the opinion of the board, to service therewith," etc.

This is safeguarded, of course, by withholding the opportunity for training to a widow who remarries, and, as I have already said, in the case of the children it is limited to the ages between 14 and 18 on the ground that the public schools take care of these children up to 14, and should this become legislation the idea of the board, of

course, would be to make some satisfactory arrangement with the several States to carry on this training in order that the life of the rehabilitation act may not be perpetuated indefinitely. The number already is comparatively small, and through the existence of the vocational education act and the industrial rehabilitation act it will undoubtedly be very easy to make satisfactory arrangements with the several States for carrying on the education of the children.

The CHAIRMAN. Do you know about how many, or have you any idea, this would cover?

Mr. MUNROE. About one-third of the disabled men, so far as we have been able to ascertain, were married, and the number of widows who have remarried is or will be comparatively large. So that the number of women to be retrained will not at the outside be over—

Mr. BANKHEAD (interposing). What do you mean by "retrained," Doctor—"women to be retrained"? I don't understand that.

Mr. MUNROE. I should not, perhaps, have said "retrained"; to be trained where they are not able to support their family. It gives them the opportunity to be trained for clerical positions or something of that sort, so that they may be able to support themselves and their children.

Mr. ROBSON. Would that mean a great many children and this work carried on indefinitely through that? A great many of these children are practically infants now. I mean the children under 2 and 5 years of age.

Mr. MUNROE. The training will not begin until they are 14.

Mr. ROBSON. That is looking forward maybe 10 or 15 years from now.

Mr. MUNROE. Yes; but not with the idea of this board carrying it on, but making satisfactory arrangements with the States, so that when the time comes the machinery will be there.

Mr. BANKHEAD. Is this what you might regard as an emergency piece of legislation—very necessary to be passed at this session of Congress?

Mr. MUNROE. Yes, sir.

Mr. BANKHEAD. My judgment is that if you insist on that new feature of it it will be a hopeless proposition. If you bring into this bill a very wide range of new legislation, it is going to have very careful consideration, I should think, by this committee and others who might be interested. That is just my individual opinion about it.

Mr. MUNROE. Of course it is a matter which should have very careful consideration, and of course we are putting all these propositions before the committee for their consideration.

The CHAIRMAN. When you were considering this item was there a pronounced conviction that this ought to go in?

Mr. MUNROE. There was a very pronounced conviction upon the part of the soldier organizations, the American Legion, and the Veterans of Foreign Wars, and the soldiers disability organization—I have forgotten the exact title. They were quite strenuous about it on the general ground that at least equal consideration should be given to men who have sacrificed their lives. It seemed to us that that was logical.

The CHAIRMAN. I think, Mr. Munroe, that Mr. Bankhead's suggestion is significant. I am inclined to favor this provision, but in

the Civil War pensions it has been one of the items which have given us a good deal of difficulty, because it keeps expanding and expanding, and that is one thing probably on which that there would be a little difficulty in getting a favorable report unless we have definite information as to how far we are going.

Mr. MUNROE. Well, of course, it is very difficult to get the statistics in regard to the present condition of the widows. Of course the number of widows we know, but as to how many of them may have remarried or are contemplating remarrying it is almost impossible to get statistics of. Also it is very difficult to get statistics as to the children.

The CHAIRMAN. You overlooked the item in line 9, "in the judgment of the board, constituting a vocational handicap, or of a degree of 10 per cent or more."

Mr. MUNROE. I was going to take that up next, Mr. Chairman.

Mr. TOWNER. Before taking that up, Mr. Munroe, do you remember whether this particular provision regarding the children was debated in the Senate?

Mr. MUNROE. I think not. The bill received very little discussion in the Senate.

Mr. BANKHEAD. Has the bill passed the Senate?

The CHAIRMAN. Yes.

Mr. BANKHEAD. In this form?

The CHAIRMAN. Yes.

Mr. TOWNER. Was it discussed before the committee?

Mr. MUNROE. You mean when the matter was presented by us?

Mr. TOWNER. Yes.

Mr. MUNROE. Yes; they asked questions very similar to what you gentlemen are asking now, and raised the same ground of objection that Mr. Bankhead and others of you gentlemen have raised, and we took the same position there, that as a matter of abstract justice it seemed a wise thing to do.

The CHAIRMAN. I agree with you on that.

Mr. MUNROE. And that these soldier organizations were very eager to have.

Mr. BRAND. How many of the committee were present?

Mr. MUNROE. At that hearing?

Mr. BRAND. Yes.

Mr. MUNROE. I think fully half the committee, if not more.

Mr. BRAND. When it passed the Senate were you present?

Mr. MUNROE. No, sir; all I know is from reading the Congressional Record. There was no debate, practically.

Mr. BRAND. Has there been any estimate of about what additional cost this will entail?

Mr. MUNROE. The total number, so far as I can see—it is almost impossible to get any exact statistics, but so far as we can judge it would not be over 10,000 widows and possibly the same number of children.

Mr. BRAND. Approximately what would it cost per annum?

Mr. MUNROE. It is \$50 per month for the child. That would be about half what it costs for the soldier. The total cost for the soldier is about \$1,500 per year, so it would be \$750 a year for the child, and on the basis of 20,000—that is, 10,000 widows and 10,000 children—it would be about a million and a half, wouldn't it?

Mr. BANKHEAD. Oh, no.

Mr. BRAND. I thought probably you had already figured it out in the office and could give it to us.

Mr. BANKHEAD. It would be \$7,500,000.

Mr. MUNROE. Of course, it will be distributed over a good many years.

The next one, and the one you have already called attention to, Mr. Chairman, is the matter of 10 per cent disability. That is practically doing away with the distinction between so-called section 2 and section 3 training.

As you know, gentlemen, under section 2, the disabled soldier receives not only his training but his maintenance while under training. His war-risk money ceases during the time he is under training. Under section 3 the soldier gets only his tuition and supplies.

Now, that has been the chief cause of the difficulties and the criticisms of the board, the almost impossible situation in which we are placed in the matter of distinguishing whether a man is entitled to section 2 or section 3 training, and, after our experience with it, we are convinced that a man who has been awarded compensation or who is in the eyes of the physician 10 per cent disabled, should have training as a matter of justice as well as the man who happens to be a little over the line and perhaps 12 or 13 per cent disabled and does come under the law.

The CHAIRMAN. That was thoroughly discussed in our committee investigation.

Mr. MUNROE. Yes; you remember it was brought up over and over again.

Mr. ROBSON. That language permits any soldier with as much as 10 per cent disability to receive the section 2 training, does it not?

Mr. MUNROE. Yes, sir.

Mr. ROBSON. Now, why should you have that other language—these words in line 10: "In the judgment of the board constituting a vocational handicap"?

Mr. MUNROE. Well—

Mr. ROBSON (interposing). Why should that language be in there?

Mr. MUNROE. We would be quite willing to have it struck out.

Mr. ROBSON. Ought it not to be struck out so that it will be just clear that every man with 10 per cent disability gets training?

Mr. MUNROE. It would help us very much, but we thought perhaps Congress would not be willing to go as far as that.

Mr. ROBSON. That is what this language means, any soldier with 10 per cent gets it.

Mr. MUNROE. That is practically what it amounts to.

Mr. ROBSON. Because it says, "which is a vocational handicap" or "has 10 per cent disability."

Mr. BANKHEAD. It looks to me—if you are going to strike out anything—that you ought to strike out the 10 per cent, making it "any soldier who has a vocational handicap."

Mr. ROBSON. That is the law now.

The CHAIRMAN. The difficulty, gentlemen, is that here is a handicap for one thing, but it would not be a handicap for another thing, and if he is going to attempt to do a certain line of work, he can do it; no handicap at all; but if he is going to take up some other work he could not do that, and therefore it was thought best to have some

latitude in the power of the board to say whether the Government should say, "You are to go into this work, which you are not now fitted to do and it will require training."

Mr. ROBSON. But being in the disjunctive it is vocational handicap or 10 per cent. I understand Dr. Munroe takes the position that that will let in every soldier who has 10 per cent disability.

Mr. MUNROE. I do not see how with that "or" there we could shut out anybody with 10 per cent disability.

Mr. TOWNER. Mr. Chairman, on June 4, after prolonged hearings lasting over several weeks, this committee recommended, I think with practical unanimity, the following with regard to this removal of the distinction between section 2 and section 3 training. The language is as follows:

The committee has arrived at the conclusion, as a result of the consideration of the testimony submitted at the hearing, that the distinction between section 2 and section 3 training should be abolished, and we recommend hereafter all service men showing a degree of disability of 10 per cent or more shall be granted training with compensation if they so desire.

So it seems to me that the committee has already committed itself upon that proposition.

Mr. ROBSON. That is the reason I wanted this other language stricken out.

The CHAIRMAN. That will come up before the committee.

Mr. MUNROE. The board will be entirely satisfied to have that stricken out.

The CHAIRMAN. What is the next point, Mr. Munroe?

Mr. MUNROE. The next point is the abolition of the distinction of different degrees of maintenance. As you will remember in the amendment to the law the board was required to ascertain those regions in the United States in which the cost of living is exceptionally high.

Mr. BANKHEAD. That was the amendment put on in the Senate to the Darrow bill?

Mr. MUNROE. Yes, sir. And I need not tell you gentlemen how vexatious that matter has been, and in some cases even farcical, because we found that in communities for some purposes, as for instance for industrial development, the cost of living is extremely low, but when it is a question of the maintenance of the soldiers it becomes extremely high.

Mr. TOWNER. Where is that language inserted?

The CHAIRMAN. That is the second proviso at the bottom of page 3.

Mr. MUNROE. That is a little more than halfway down page 3:

Provided, That in no event shall the sum so paid an adult without dependents, while pursuing a course, be more than \$100 per month, or an adult with dependents, \$120 per month plus the several sums prescribed as family allowance.

That is, it strikes out that requirement that we shall ascertain those regions of the country where the cost of living is exceptionally high, and while it still leaves it optional we are not required to pay a man \$100 a month. It practically puts them all on the same level and, of course, they are very rapidly coming to that level, because when a community finds that the disabled there are getting only \$80 a month, the American Legion and the chamber of commerce and all

the other people send us in proof that the cost of living is exceptionally high—

Mr. BANKHEAD (interposing). Do you find that there is any appreciable diminution of the cost of maintaining these men under lowered prices that are prevailing now?

Mr. MUNROE. It would seem as if there should be, but as we raise the question in these different communities they maintain that there is not.

Mr. BANKHEAD. Ought not that to be as a matter of fact, just because they maintain it—have you made any investigation of the real conditions that exist in different communities in the cost of living a year ago and now?

Mr. MUNROE. Only as far as we can investigate through such authoritative bodies as the chamber of commerce and the American Red Cross.

Mr. BANKHEAD. And the information you get is that there has been no lowering anywhere of the cost of living?

Mr. MUNROE. They all say that.

Mr. BANKHEAD. Clothes and food and everything of that sort?

Mr. MUNROE. Yes, sir.

The CHAIRMAN. Mr. Munroe, is not the language in line 7 on page 3 new—"together with such medical service and treatment"?

Mr. MUNROE. Yes. I had my arrangement here a little different, in the summary of the bill which I had here. Pardon me for not taking it up in proper order.

The CHAIRMAN. That is all right.

Mr. MUNROE. Is there any further question on this matter of the \$100?

The CHAIRMAN. No.

Mr. MUNROE. That was medical service. As you gentlemen of the committee probably know, we had believed it in our power, under the bill—the original bill and its amendments—to pay the medical care—the cost of medical care of soldiers who became sick while taking training, not as a result of reactivation of a war disability, but a man who had an attack of appendicitis, or anything of that sort—an emergency illness. We believed it proper for us to take care of him and pay the bill. That went along for some time until we had contracted, as I remember the figures, about \$75,000 worth of such bills, and then the comptroller decided that it was not possible for them to be paid, and those bills are still being held up, and we have made arrangements with the Bureau of Public Health so that they practically take care of most of those cases.

The Bureau of War Risk Insurance maintain that they can not take care of those cases, except where it is reactivation of disability due to the war. So the Red Cross, the Y. M. C. A., and other volunteer organizations have given us money, so that the present situation is fairly well taken care of, but it seems to us that it is common sense that where a man is taking training and where he has illness that interferes with the progress of training that he should be treated medically and the Government should pay the bill, and in the sundry civil bill the Senate has just put in a clause permitting us to pay these standing back bills. This would permit us to take care of the situation in the future and, as I say, it seems to us com-

mon sense that the sick boy should be taken care of during illness by the Government.

The CHAIRMAN. I think this would have gone in the sundry civil bill of the House, if it had not been subject to a point of order. It was presented.

Mr. MUNROE. But with the passage of this and the sundry civil bill, the situation will be taken care of.

Now, I think the last thing, Mr. Chairman, is the section put in by the Senate committee limiting the—"that any person authorized under the provisions of this act to take vocational training must make application therefor within 18 months from the time this present act in the nature of an amendment to section 2 becomes effective." That seems to me, to the board, a perfectly reasonable proposition, and had the Congress not put in something of that sort we would have suggested that there should be some time limitation. And I understand in that connection that in the sundry civil bill the Senate has put in an amendment that the man having been adjudged eligible for training must avail himself of that training within 12 months after the passage of the law. So that these two will take care of the entire situation.

Mr. ROBSON. Dr. Munroe, how could that, and what effect would that provision have upon these widows and children whose husbands and fathers should die subsequent to this date or within two years from now, or a year from now?

Mr. MUNROE. The widow or guardian of the orphan would have to make application within 18 months.

Mr. ROBSON. How could that apply to children 14? Most of these children would not be 14 for a good while yet.

Mr. MUNROE. It is understood that training is not to begin until 14 years of age.

Mr. ROBSON. This proviso would cut them out, would it not? Any person who has not filed application within 18 months after it takes place?

Mr. MUNROE. If they made the application. We would insist upon the widow or orphan making the application within 18 months. There is nothing here to limit the time in which the training must be available.

Mr. ROBSON. But she would not be a widow yet perhaps. Your bill here undertakes to take care of the dependents of men who are going to die of their injuries, not only dead but going to die, their widows and children.

Mr. MUNROE. That is a new idea to me. Have you anything to say on that, Mr. Lamkin? The question is raised by Mr. Robson that the last provision requires application for training within 18 months after the passage of the act. That would automatically shut out certain widows who are not yet widows, because they could not make application.

Mr. LAMKIN. I think it would shut them out. I do not think there would be any serious objection, Mr. Robson, to that working in that way, personally.

The CHAIRMAN. We are very much obliged to you, Mr. Munroe. Who else was to appear this morning?

Mr. LAMKIN. I do not know how far Mr. Munroe went. Mr. Galbraith, the national commander of the American Legion, is here, and Mr. Hale, of the Veterans of Foreign Wars.

The CHAIRMAN. We will be very glad to hear the national commander. We will be very glad to hear you, Col. Galbraith.

STATEMENT OF COL. F. W. GALBRAITH, Jr., NATIONAL COMMANDER AMERICAN LEGION, 23 WEST FORTY-THIRD STREET, NEW YORK CITY.

Col. GALBRAITH. Thank you, very much, for the privilege of appearing before you.

We believe, gentlemen, that this is one of the most splendid pieces of constructive legislation that has appeared, because it corrects some of the things which are vital to the making over of these men and of their children and of their widows. It provides an opportunity to really actually rehabilitate these men. It turns them from a liability into a national asset, and it seems to us that the thing that the Government is most concerned about is the future welfare of the men, not alone who served in the war, but of their children, and permitting their widows to enter into a new life that they would be unable to enter unless legislation of this sort were passed.

It also provides for the same consideration to be given to citizens of the United States who served in the allied armies, or in the allied service.

The question of medical care, while it is being temporarily taken care of through the Public Health Service and through the Red Cross and the "Y," out of funds which I presume they have good use for in other directions, is extremely important, because unless a man is maintained in training continuously he is not going to get the benefit properly. It seems unfair as it now stands that a man who through some accident—take the case of the man who is in training; he is injured in his training. He may be operating a machine tool, or whatever he is doing, and he becomes injured; under the present law it is impossible to take care of him, because it is not directly traceable to his service, and it seems as though it ought to be corrected so that the Director of the Bureau of Vocational Education may do it within the law without appealing to private sources for funds.

The American Legion has considered all of the things very carefully, and in our conventions we have indorsed all of the features of the bill.

On the question of the maintenance, elimination of section 3, putting them all on the same basis, there are a good many border-line cases, of course, where a man is not vocationally handicapped. If the suggestion of one of the gentlemen of the committee—implied suggestion—were embodied in the bill, it would throw it open purley on the basis of a disability of 10 per cent, and would liberalize the provisions.

Mr. ROBSON. Does not this bill do it?

Col. GALBRAITH. As I understand it, it does not. It is 10 per cent, but dependent upon a vocational handicap.

Mr. ROBSON. Look at the language there.

Mr. LAMKIN. No; it is either.

Col. GALBRAITH. If it does, it is a liberal provision.

Mr. ROBSON. "In the judgment of the board constituting a vocational handicap or of a degree of 10 per cent."

Col. GALBRAITH. Well, then, you have covered it. I understood that it was "and." Of course, that will provide for many men taking vocational training.

Mr. ROBSON. Then—but then, if you had an "and" in there, say "vocational handicap and 10 per cent," then the law would be just as it is; it would not be dependent upon vocational handicap before the soldier could get training.

Col. GALBRAITH. Yes.

Mr. ROBSON. So there would not be any change.

Col. GALBRAITH. Yes.

Mr. LAMKIN. Mr. Chairman, may I just answer that question right here? If you will excuse me, Col. Galbraith, if you would put "and" in, you would limit the law. You would restrict it way beyond what it is now; make it harder; because a man may have a vocational handicap, and yet from a physical compensation standpoint not be adjudged disabled to the extent of 10 per cent.

Col. GALBRAITH. Yes.

Mr. ROBSON. But this bill permits everybody with 10 per cent to get in.

Mr. LAMKIN. Everybody with 10 per cent to get in and everybody with a vocational handicap to get in.

Col. GALBRAITH. With the elimination of section 3, putting them all under section 2.

Mr. MUNROE. And even extends it beyond 10 per cent because a man with 5 per cent might have a vocational handicap; so that you see as the law reads now it is really more liberal than just plain 10 per cent.

Col. GALBRAITH. We have thousands of cases that are constantly coming up—Mr. Lamkin and his bureau get them, men who are really entitled to the training but who are unable to get it under the law. We believe this, as I said before, is a very splendid piece of legislation, and we hope that it will pass.

Mr. ROBSON. What about this 18 months, now? Most of the boys that went into the Army did not have families; most of them did not have wives; they have married since and begun to produce families. Now, this limits the widows and children to—they must apply within 18 months after the law takes place.

Col. GALBRAITH. It should be made as liberal as possible. Anything that will provide the advantages for the next of kin; the children of those who served in the war certainly should be included.

The CHAIRMAN. All of these items have been pretty thoroughly gone over in other days by the committee, with the exception of this item on the widows and the children. That is a new one, and our committee, I am sure, will want all the information on that that is possible, because that probably would be assaulted on the floor of the House if any item would be, and we would like to have as definite information as it is possible to get on what that means, how far it would go.

Mr. MUNROE. Mr. Chairman, may I interrupt? I was not able to give figures on the matter of widows and children. Mr. Lamkin

informs me that he has some estimates. Perhaps you would care to have them.

The CHAIRMAN. After Col. Galbraith gets through.

Col. GALBRAITH. I merely wanted to present the view of the Legion on the general terms of the bill. It would certainly be a splendid piece of legislation, and we hope that it will pass as it is now written, or liberalized in any way that you gentlemen can make it more valuable to the ex-service people of the Nation.

The CHAIRMAN. In your judgment, since the calendar is tremendously crowded, and it will be difficult to get anything unless it is of the class of emergency legislation, would this properly fall under emergency legislation, so it could be pressed on that basis?

Col. GALBRAITH. Yes, sir; we think so.

The CHAIRMAN. You speak from your official position as the head of the American Legion?

Col. GALBRAITH. Yes, sir; it is emergency legislation.

The CHAIRMAN. Any other questions, gentlemen?

Mr. BANKHEAD. Do you mean the whole bill or that widows and children feature?

The CHAIRMAN. No; I mean this whole bill.

We are very much obliged to you Colonel; we are very glad to have you here. Who is the other witness?

Mr. LAMKIN. Mr. Hale, of the Veterans of Foreign Wars, is here, Mr. Chairman, or there may be some others of the American Legion.

Mr. GILBERT BETTMANN. We are very glad that our case has been presented, Mr. Chairman, and we thank you for the opportunity.

STATEMENT OF MR. E. H. HALE, CHAIRMAN NATIONAL LEGISLATIVE COMMITTEE, VETERANS OF FOREIGN WARS.

The CHAIRMAN. May I ask you to be as expeditious as you can be, Mr. Hale?

Mr. HALE. I will be very brief, Mr. Chairman.

I think I will just address myself to the feature that the chairman said was the most important to the committee; that is, the feature of the widows and orphans.

The idea of the legislation was that the widow or the orphan should stand in the position of the father. It naturally follows that if there is a widow and an orphan, the father is gone, and in the case of those young men who went in unmarried and who have made the supreme sacrifice, it naturally follows there will be no widows or orphans. So that this legislation would apply absolutely and solely to widows and orphans who were left after the soldiers had gone, and the bill as I interpret it means that those who would be, or who are potential beneficiaries of the proposed legislation would have to indicate their intention of accepting the training contemplated by this legislation within 18 months after it became effective or had passed.

One other feature of the bill that was particularly interesting to the Veterans of Foreign Wars, and which had the unanimous consent and indorsement of our last encampment, is that feature of removing section 3, which it really does. That section 3 feature has been the cause of more correspondence, more misunderstanding, and

more unjust complaint against the Federal Board than any feature of the bill. There are men, as the law stands to-day, who are awarded section 3 training and who are not financially able to accept such training, because they could not follow it. The consequence is that they are forced to go back to their previous vocation with a latent disability which is accentuated by their following their former vocations, whereas if this bill is passed and the Federal Board for Vocational Education be allowed to take those men and put them in section 2 training with training and pay, and train them along the line that will take them away from the former vocation, the following of which would aggravate their disability, they will actually rehabilitate them.

I think that is all that I care to say on the bill.

The CHAIRMAN. We are very much obliged to you, Mr. Hale.

Now, Mr. Lamkin.

STATEMENT OF MR. UEL W. LAMKIN, DIRECTOR FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Mr. LAMKIN. Mr. Chairman, I will only say a word or two. There are three provisions, I understand; the first and second, regarding the training of persons disabled in the allied service, recommended by this House committee.

The second, liberalizing the bill so that persons with a disability of 10 per cent or more could be trained, was recommended by your committee last June. In discussing it we have thought it not wise to strike out the words "vocational handicap," because that would take out of training some men who we know are vocationally handicapped, but have not been awarded disability of 10 per cent.

The third feature has reference to widows and orphans. The last report which I had from the Bureau of War Risk Insurance showed that there were 12,441 wives and 6,805 children receiving compensation because of the death of their husbands or fathers.

Mr. REED. What are those figures again?

Mr. LAMKIN. Twelve thousand four hundred and forty-one wives and 6,805 children receiving compensation, because of the death of their husbands or fathers.

As this bill passed the Senate the provision was that it should be the widow or child. In other words, if you trained the widow, you would not necessarily train the child. If you did not train the widow, you would be able to train the child.

The fourth provision relates to medical care. We do not seek to set up any new medical service, but the Bureau of War Risk Insurance and the Public Health Service at the present time can give treatment solely to men for reactivation of their war disabilities. In other words, as I think Col. Davis was present when I asked this question of the Director of the Bureau of War Risk Insurance: "If a man is discharged from a Public Health hospital, with an arrested case of tuberculosis, and contracts pneumonia, have you authority under the law to treat him for pneumonia?" And the director said, "No; we have not." Suppose the pneumonia reactivates his tuberculosis, have you authority to treat his tuberculosis?" He said, "Yes; we have."

Now, the Federal Board believes that if this man is in training and gets sick, he ought to be treated so that he can get well to get back into training. We will use the Public Health Service, contract hospital, or any agency of the Government which is now established for the treatment of those men, but we ought to be able to give them medical care and treatment.

The CHAIRMAN. Will that greatly increase the expenditure?

Mr. LAMKIN. On our budget, Mr. Chairman, based on past experience, it ran approximately 40 cents per man per month, as I recall.

The CHAIRMAN. What would be the additional expense if we passed this bill? The main item, of course, would be the elimination of section 3 and also the widows.

Mr. LAMKIN. I can not answer the first. I should judge that of the widows and orphans there might be 15,000 people to take advantage of the training.

If section 3 were eliminated there are at present 75,000 men entitled to training under section 3. If 50 per cent of them take advantage of it, or a little over 50 per cent, it would be about \$40,000. But there again it depends largely upon the industrial condition and upon whether or not a man is ready to take training, and it is absolutely impossible to say definitely.

Mr. BANKHEAD. Does this about double the present number?

Mr. LAMKIN. Approximately double. In other words, Mr. Chairman, you know and I know when these boys were in France they were told, "If you get an award of compensation from the bureau you will be given training." That was not the law, but that was in their heads and has never gotten out.

The CHAIRMAN. I want it recorded that Col. Able Davis is present, chairman of the vocational training committee of the American Legion.

(Thereupon, at 11.35 o'clock a. m., the committee adjourned.)

**END OF
TITLE**